

PCS

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED

AUG 22 2012

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Mr. Toanin [Signature]

Plaintiff(s),

vs.

MARY HOOVER
LYNDA COBB
ROSE WILKINS
Defendant(s).
Cecilia Odell

1:12-cv-06755

Judge Milton I. Shadur

Magistrate Judge Geraldine Soat Brown

COMPLAINT FOR VIOLATION OF CONSTITUTIONAL RIGHTS

This form complaint is designed to help you, as a pro se plaintiff, state your case in a clear manner. Please read the directions and the numbered paragraphs carefully. Some paragraphs may not apply to you. You may cross out paragraphs that do not apply to you. All references to "plaintiff" and "defendant" are stated in the singular but will apply to more than one plaintiff or defendant if that is the nature of the case.

1. This is a claim for violation of plaintiff's civil rights as protected by the Constitution and laws of the United States under 42 U.S.C. §§ 1983, 1985, and 1986.
2. The court has jurisdiction under 28 U.S.C. §§ 1343 and 1367.
3. Plaintiff's full name is _____.

If there are additional plaintiffs, fill in the above information as to the first-named plaintiff and complete the information for each additional plaintiff on an extra sheet.

10. Plaintiff further alleges as follows: (Describe what happened that you believe supports your claims. To the extent possible, be specific as to your own actions and the actions of each defendant.)

AT 1521 S. WARREN ST ON
THE DATE OF 08-23-12 AT
ABOUT 8AM CHICAGO POLICE
WERE CALLED BY UNKNOWN SUBJECT
RESPONDING TO A AGG. AST (W) FIREARM
ADVERTISING THAT A MS. SOSAN ~~BANKS~~
BANKS REPORTED THE NEXT DAY AFTER
IT WAS SUPPOSED TO ~~HAPPEN~~ HAVE
HAPPEND UPON DOING SO THE POLICE
KNOCKED ON MY UNIT DOOR #205
UNDER FALSE PRETENSES STATING THAT
THEY WERE MANAGEMENT WITH A FEW
QUESTIONS TO ASK AT WHICH POINT

11. Defendant acted knowingly, intentionally, willfully and maliciously.

12. As a result of defendant's conduct, plaintiff was injured as follows:

LOSS OF LIBERTY, HOMELESS,
DISFUNCTIONAL ASCEND INTO SOCIETY
DUE TO CLOTHING LOSS DOCUMENTS
EDUCATIONAL + VITAL, LOSS OF MONEY FOR
LIVING EXPENSES

13. Plaintiff asks that the case be tried by a jury. ☒ Yes ☐ No

COMPLAINT SHEET PT #2

I OPENED MY DOOR THEY
ENTERED WITHOUT MY
PERMISSION BEGIN TO
SEARCH MY UNIT FOR
FURNACE AFTER PLACING
ME IN HANDCUFFS
ARRESTING ME WITHOUT
A WARRANT OR ~~STATE~~
RECITING ~~OF~~ MIRANDA
WARNING UPON A FABRICATED
HEARSAY ALLEGATION UPON
WHICH NO DETECTIVES
WERE CALLED TO CONDUCT
A PROPER INVESTIGATION OR
TO EXAMINE MY A.B. MY
WITNESSES AND SUPPORTING
DOCUMENTATION OF
ARTICLES SUCH AS SIGNATURES
OF WITNESSES WHO WOULD
HAVE SUBSTRATED MY
CLAIM UPON RELEASE FROM
COOK COUNTY JAIL 07-23-12
I WENT TO MY PREMISE AT
1521 S. WABASH ST. APT 205
I WAS DENIED ENTRY BY THE
DOOR CLERK CECILIA OWELL
AND POLICE WILKINS ALSO
LYNDA COBB BOTH MANAGER
AND WAS ILLEGALLY LOCKED
OUT EVEN THOUGH I HAD
POLICE PRESENT THEY FILED
A PETITION FOR POSSESSION
OF PROPERTY CLAIMING I WAS
A THREAT TO OTHERS →

DEFAMATION MY CHARACTER
WITH SLANDER AND
LIBEL CONSIDERING A
FABRICATION OF
EVIDENCE OF HARM
TOWARDS ANOTHER AND
THE CIVILIAN CONSPIRING
TO REMOVE ME FROM
THE PREMISE UNDER
FALSE PRETENSE WITH
THE OVERTURE MOTIVE
OF RETALIATION FOR INSERTING
MY RIGHTS UNDER MY
LEASE I'M A CERTIFIED
SECURITY OFFICER WHO
WOULD RESPOND WITH
PROPER ARREST TACTICS
IF SUCH AN INCIDENT
WOULD OCCUR NOT
WITH SUCH DESCRIBED
CRIMINAL BEHAVIOR

~~Defendant:~~

CECILIA O'DELL

TITLE:

DIST

CLERK

PLACE

OF EMPLOYMENT

1521 S. WAVERLY ST.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

M. T. O'D. Perry

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No: _____
(To be supplied by the Clerk of this Court)

Marcy Hoising
LYNDA COBB
ROBERT W. WILKINS
Cecilia ODELL

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

AMENDED COMPLAINT

1

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

ILLEGAL LOCKOUT FALSIFIED
WITNESSES ALLEGED VICTIM
OF A INCIDENT WHICH
NEVER OCCURRED CAUSING
CHICAGO POLICE TO
FALSIFY ARREST ME
THEN FORCED AN EVICTION
FOR A INCIDENT
WHICH NEVER OCCURRED
OUT OF RETALITION AND
FOR ME EXERCISING MY
RIGHTS AS A TENANT
UTILIZING UTTERLY MOTIVES
TO EVACUATE ME OF MY
CONSTITUTIONAL RIGHTS AND
TENANT RIGHTS HARBORING
ANIMOSITY BEHAVIOR AND
CONSTRUCTED CIVIL CONSPIRACY

WITH SLANDER, DEFAMATION
OF CHARACTER, LIBEL ALSO
DEPRIVING ME OF MY
CLOTHING, VITAL DOCUMENTS
PERSONAL PROPERTY AND
CAREER DESTRUCTION BY
MARTICOLOS; MANICALLY

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

SUE ON MY BEHALF PROVIDE
COURT FOR ILLEGAL EVICTION
AND WRONGFUL LOCKOUT PLUS
CIVILIAN DETENTION SLANDER AND
LIBEL I'm INDIGENT

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 01 day of 09, 2012

Mr. Terrian O. Parry
(Signature of plaintiff or plaintiffs)

MR. TERRIAN O. PARRY
(Print name)

(I.D. Number)

638 W. Downing Pl.
(Address)
CHG. IL. 60614

I. Plaintiff(s):

- A. Name: Mr. Tamm D. Papp
- B. List all aliases: NONE
- C. Prisoner identification number: NONE
- D. Place of present confinement: NONE
- E. Address: 636 W. DEXING PL.

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: MARY HOOSING
Title: SRO PUBLIC HOOSING
Place of Employment: 1521 S. WABASH ST.
- B. Defendant: ~~LYNDA~~ LYNDA COBB
Title: HEAD MANAGER
Place of Employment: 1521 S. WABASH ST.
- C. Defendant: ROSCIE WILKINS
Title: PROPERTY MANAGER
Place of Employment: 1521 S. WABASH ST.

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: TAMIN O. PACE / vs
CHICAGO Police 12 C 5646
- B. Approximate date of filing lawsuit: 07-01-12
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: NONE
- D. List all defendants: CHICAGO Police DEPT
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): FEDERAL D.S.DIST COURT
DICKENS BLDG
- F. Name of judge to whom case was assigned: SAM. DEB. YERGEN
MAG. STRAUS JUDGE SHEILA M. FINNEGAN
- G. Basic claim made: WRONGFUL ARREST UNLAWFUL
DETAINMENT AND UNLAWFUL SEARCH
AND SEIZURE
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): ADJUDICATED
- I. Approximate date of disposition: 08-23-12

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

11. Defendant acted knowingly, intentionally, willfully and maliciously. **YES!**

12. As a result of defendant's conduct, plaintiff was injured as follows:

LOSS OF LIBERTY
LOSS OF LIVELY HOOD FREEDOM ETC.
LOSS OF VITAL DOCUMENTS
LOSS OF PERSONAL PROPERTY

13. Plaintiff asks that the case be tried by a jury. ☒ Yes ☐ No

14. Plaintiff also claims violation of rights that may be protected by the laws of Illinois, such as false arrest, assault, battery, false imprisonment, malicious prosecution, conspiracy, and/or any other claim that may be supported by the allegations of this complaint.

WHEREFORE, plaintiff asks for the following relief:

- A. Damages to compensate for all bodily harm, emotional harm, pain and suffering, loss of income, loss of enjoyment of life, property damage and any other injuries inflicted by defendant;
- B. ☒ (Place X in box if you are seeking punitive damages.) Punitive damages against the individual defendant; and
- C. Such injunctive, declaratory, or other relief as may be appropriate, including attorney's fees and reasonable expenses as authorized by 42 U.S.C. § 1988.

Plaintiff's signature: Mr. Terrence O. Perry

Plaintiff's name (print clearly or type): Mr. Terrence O. Perry

Plaintiff's mailing

address: 638 W. Danmore Pl.

City CHICAGO

State IL

ZIP 60604

14. Plaintiff also claims violation of rights that may be protected by the laws of Illinois, such as false arrest, assault, battery, false imprisonment, malicious prosecution, conspiracy, and/or any other claim that may be supported by the allegations of this complaint.

WHEREFORE, plaintiff asks for the following relief:

- A. Damages to compensate for all bodily harm, emotional harm, pain and suffering, loss of income, loss of enjoyment of life, property damage and any other injuries inflicted by defendant;
- B. ☐ (Place X in box if you are seeking punitive damages.) Punitive damages against the individual defendant; and
- C. Such injunctive, declaratory, or other relief as may be appropriate, including attorney's fees and reasonable expenses as authorized by 42 U.S.C. § 1988.

Plaintiff's signature: _____

Plaintiff's name (print clearly or type): _____

Plaintiff's mailing address: _____

City _____

State _____

ZIP _____

Plaintiff's telephone number: _____

Plaintiff's email address (if you prefer to be contacted by email): _____

15. Plaintiff has previously filed a case in this district. ☒ Yes ☐ No

If yes, please list the cases below.

12-C-5646

Any additional plaintiffs must sign the complaint and provide the same information as the first plaintiff. An additional signature page may be added.

7. Defendant officer or official acted pursuant to a custom or policy of defendant municipality, county or township, which custom or policy is the following: (*Leave blank if no custom or policy is alleged*): _____

8. Plaintiff was charged with one or more crimes, specifically:

Agg ASIT / w/ FIRE ARM

9. (*Place an X in the box that applies. If none applies, you may describe the criminal proceedings under "Other"*) The criminal proceedings

☒ are still pending.

☐ were terminated in favor of plaintiff in a manner indicating plaintiff was innocent.¹

☐ Plaintiff was found guilty of one or more charges because defendant deprived me of a fair trial as follows _____

☒ Other: Appeal

¹Examples of termination in favor of the plaintiff in a manner indicating plaintiff was innocent may include a judgment of not guilty, reversal of a conviction on direct appeal, expungement of the conviction, a voluntary dismissal (SOL) by the prosecutor, or a *nolle prosequi* order.

4. Defendant, MERCY HOUSING, is
(name, badge number if known)

☐ an officer or official employed by _____;
(department or agency of government)

_____ or
☒ an individual not employed by a governmental entity.

If there are additional defendants, fill in the above information as to the first-named defendant and complete the information for each additional defendant on an extra sheet.

5. The municipality, township or county under whose authority defendant officer or official acted is MERCY HOUSING. As to plaintiff's federal constitutional claims, the municipality, township or county is a defendant only if custom or policy allegations are made at paragraph 7 below.

6. On or about 06-23-12, at approximately 8:00 ☒ a.m. ☐ p.m.
(month, day, year)

plaintiff was present in the municipality (or unincorporated area) of 1521 S. WABASH ST-
CHICAGO, in the County of COOK,

State of Illinois, at MERCY SRD HOUSING APT #205,
(identify location as precisely as possible)

when defendant violated plaintiff's civil rights as follows (Place X in each box that applies):

- ☐ arrested or seized plaintiff without probable cause to believe that plaintiff had committed, was committing or was about to commit a crime;
- ☐ searched plaintiff or his property without a warrant and without reasonable cause;
- ☐ used excessive force upon plaintiff;
- ☐ failed to intervene to protect plaintiff from violation of plaintiff's civil rights by one or more other defendants;

☐ failed to provide plaintiff with needed medical care;

☒ conspired together to violate one or more of plaintiff's civil rights;

☒ Other:

ILLEGAL LOCKOUT
ILLEGAL EVICTION

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

Northern District of Illinois

Mr. Torrin O. Perry
Plaintiff

MARCY HOOSING
Defendant

Civil Action No.

WAIVER OF THE SERVICE OF SUMMONS

To:

Mr. Torrin O. Perry
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 60, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date:

09-01-12

Mr. Torrin O. Perry
Printed name of party waiving service of summons

Mr. Torrin O. Perry
Signature of the attorney or unrepresented party

Mr. Torrin O. Perry
Printed name

638 W. DRAVING PL.
Address

773-878-3095
E-mail address

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.